

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable James A. Ardaiz, Presiding Justice; Honorable William A. Stone, Associate Justice; Honorable Timothy S. Buckley, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Yolanda I. Grigsby, Deputy Clerk.

F031265 People v. Garibay

Parties stipulate that (1) Ardaiz, P.J., the absent assigned justice, participate in the determination of this appeal, and (2) Ardaiz, P.J. to listen to the tape recording of oral proceedings upon his return.

Cause called and argued by Richard Doctoroff, Esq., counsel for appellant and by Charles A. French, Deputy Attorney General, counsel for respondent.

Cause argued and submitted.

At this point Stone (W.A.), J. and Buckley, J. leave the bench; they are replaced by Dibiaso, J. and Levy, J.

F030135 People v. Duque

Parties stipulate that (1) Ardaiz, P.J., the absent assigned justice, participate in the determination of this appeal, and (2) Ardaiz, P.J. to listen to the tape recording of oral proceedings upon his return.

Cause called and argued by Sandy Gillies, Esq., counsel for appellant and by David Rhodes, Esq., Deputy Attorney General, counsel for respondent.

Cause argued and submitted.

Court recessed until Tuesday, June 8, 1999 at 10:00 A.M.

IN THE

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F031129 People v. Brown

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F031029 People v. McCreary
The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F028872 People v. Martinez
The judgment is reversed and the case remanded for further proceedings consistent with this opinion. Vartabedian, J.

We concur: Ardaiz, P.J.; Harris, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F025257 Galland, et al. v. City of Clovis, et al.
The judgment is affirmed. Thaxter, J.

We concur: Dibiaso, Acting P.J.; Buckley, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F032022 Jauregi v. Superior Court of Madera Co.; People
The petition for writ of mandate is denied. The stay of the trial court proceeding imposed by this court on January 29, 1999, is vacated. Dibiaso, J.

We concur: Stone (W.A.), Acting P.J.; Levy, J.

[CERTIFIED FOR PARTIAL PUBLICATION]

F033185 Adam B. v. Superior Court Kern County; Kern County Dept. of Human Services

No petition for extraordinary writ having been filed, the above entitled action is dismissed as abandoned.

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- F030249 People v. Jones**
Appellant's petition for rehearing filed herein is denied.
- F032549 In re Sarah S., et al., Minors**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F027142 N. T. Hill et al. v. The City of Fresno**
The judgment is reversed. Appellant is awarded costs on appeal.
Dibiaso, Acting P.J.
We concur: Harris, J.; Wiseman, J.
[CERTIFIED FOR PARTIAL PUBLICATION]
- F027238 People v. Fernandez**
Good cause appearing therefor, the oral argument scheduled for June 9, 1999 is ordered continued to June 18, 1999 at 10:00 a.m.
- F032700 People v. Phair**
No brief having been filed by appellant after notice duly given under rule 17(c) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.
- F032010 Hernandez v. The Money Store Auto Finance Co., Inc.**
No brief having been filed by appellant after notice duly given under rule 17(a) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.
- F032300 Pozar v. Hurley**
No brief having been filed by appellant after notice duly given under rule 17(a) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.